

Senate Bill 202
March 12, 2009
Presented by Ken McDonald
House Fish, Wildlife and Parks Committee

EXHIBIT 6
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SB 202

Mr. Chairman and committee members, for the record I am Ken McDonald, Wildlife Division Administrator of Montana Department of Fish, Wildlife & Parks (FWP).

Senate Bill 202 adds ungulates and mountain lions to the list of species people are prohibited from knowingly feeding. Existing statute exempts people engaged in the normal feeding of livestock or agricultural practices. During the Senate hearing on this bill, there was concern that bird feeding could inadvertently attract deer, causing people to unknowingly break the law. An amendment was added that exempted "normal recreational feeding of birds." Upon further consideration of this amended language, it appears it actually weakens Section 2 and FWP's ability to address bird feeding that results in attracting bears. In parts of western Montana, bird feeding is a major attractant to both black and grizzly bears. So while FWP still supports this bill, we recommend it be amended to strike the Senate amendment (Page 1, Line 27) and a new amendment that exempts bird feeding *unless* the bird feeding results in a concentration of ungulates or attracts bears in a manner that may contribute to the transmission of disease or constitutes a threat to public safety.

To our knowledge, feeding of mountain lions to any extent rarely if ever occurs, so we see this provision as more of a proactive measure to make it clear it should not occur.

FWP is especially supportive of prohibiting feeding or purposely attracting ungulates with feed attractants.

Feeding of ungulates, particularly deer and elk, may result in artificial concentrations of these animals. This in turn increases the potential for disease transmission such as brucellosis and Chronic Wasting Disease (CWD), and may affect population management depending on the time and place where the feeding/attracting is occurring. Attracting these animals by one landowner may also cause undesirable impacts on neighboring landowners depending on the scale and magnitude of the feeding – whether in agricultural settings or urban environments. This is one of the conflicts in the Helena Urban Deer issue – one neighbor is feeding and attracting deer, while the other is affected by the number and frequency of deer in his yard.

FWP sees this bill as a proactive measure that will help reduce bear conflicts and concentrations of ungulates, and the consequences of that in helping to alleviate problems among neighbors resulting from one or more feeding these animals. This is also consistent with FWP's CWD plan.

FWP supports Senate Bill 202 and is ready to answer any questions you might have regarding this topic.